

**CITY COUNCIL OF THE CITY OF SAN DIEGO  
SUPPLEMENTAL DOCKET NUMBER 2  
FOR THE REGULAR MEETING OF  
TUESDAY, OCTOBER 15, 2002**

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**ADOPTION AGENDA, DISCUSSION, COMMITTEE ITEMS**

COMMITTEE ON PUBLIC SAFETY AND NEIGHBORHOOD SERVICES, ORDINANCE TO BE INTRODUCED:

ITEM-S500: Prohibiting Spectators at Illegal Speed Contests.

(See memorandum from City Attorney Casey Gwinn dated 9/20/2002.)

**TODAY'S ACTION IS:**

Introduce the following ordinance:

(O-2003-62)

Introduction of an Ordinance amending Chapter 5, Article 2 of the San Diego Municipal Code by adding a new Division 52, titled "Spectators Prohibited at Illegal Speed Contest or Exhibitions of Speed;" and by adding new Sections 52.5201, 52.5202, 52.5203, 52.5204 and 52.5405.

**PUBLIC SAFETY AND NEIGHBORHOOD SERVICES COMMITTEE'S  
RECOMMENDATION:**

On 9/25/2002, PS&NS voted 5 to 0 to accept the recommendations of the City Attorney's Office for this ordinance. (Councilmembers Atkins, Stevens, Maienschein, Frye and Inzunza voted yea.)

**SUPPORTING INFORMATION:**

Illegal street racing, also known as "drag racing," has been occurring in San Diego for decades. In 1960, 2,000 racers and spectators were involved in a "riot" on El Cajon Boulevard. During the 1970s, hundreds of racers and spectators continued to race on City roads, causing a major racing magazine to designate San Diego as one of the top street racing locations in the country. The numbers of racers and spectators slightly decreased during the 1980s to mid-1990s and began to rise again in 1998, when estimates of 1,000 participants were common. Today, magazines and Internet sites continue to spotlight San Diego as a prime spot for illegal street racing in the

nation.

The rise in popularity of illegal speed contests in San Diego has brought with it an increase in deaths related to racing. During a 120-day period from July 1998 to October 1998, there were an astonishing eight deaths and eleven injuries directly related to illegal street racing in San Diego County. During this time, police throughout the country, including the San Diego Police, attempted to alleviate the problem by strictly enforcing existing laws. The short-term effect was minimal, and there was no long-term impact. Most recently, San Diego's illegal street racing fatality rate has been termed "epidemic." In 2002, there have been twelve fatal accidents on City streets, with five related to illegal street racing.

Illegal street racing in the City has grown into a serious community problem, immediately threatening public peace, property, health and safety. In the late night and early morning hours, hundreds of illegal street racers and spectators converge on various public streets, primarily in commercial or industrial areas. These juveniles and adults block the streets with their cars, set up improvised racetracks complete with individuals acting as race starters, and drag race until police arrive. When patrol cars descend on an illegal racing site, the racers and spectators jump back into their cars and caravan to other locations, where they race until the police catch up with them. The racers, traveling at high speeds from location to location, cause traffic congestion and danger to other drivers. The racers are highly sophisticated, using cell phones, police scanners, and other electronic devices to communicate with each other to avoid arrest. They also communicate through the Internet, providing information on illegal racing events and advice on how to avoid detection and prosecution, often staying one step ahead of law enforcement.

Illegal street racing attracts other criminal activity-juvenile curfew violations, gambling, fights and disturbances, littering, drinking in public, urinating in public, trespassing, and vandalism, including graffiti and destruction of property. The San Diego Police Department regularly patrols racing sites and conducts undercover operations to curb the illegal racing. However, police staffing is not always adequate to handle the enormous crowds that gather at the illegal racing sites. Furthermore, it takes high levels of police staffing and coordination to observe, arrest, and build strong cases against the illegal racers. Attempts to eliminate the problem using speed bumps, tow-away zones, street closures, and other means have not provided a lasting solution. The presence of spectators at these events encourages criminal activity and creates an environment in which illegal activities flourish.

On September 25, 2002, the Public Safety and Neighborhood Services Committee reviewed a report outlining the purpose and background of the proposed ordinance along with the draft ordinance. Councilmembers from Districts 3, 4, 5, 6 and 8 voted unanimously in a 5-0 vote to accept the City Attorney's recommendations and approve the proposed ordinance.

Gwinn/Swett